

### **REMARKS**

As an initial matter, Applicants address the Advisory Action dated October 10, 2008 ("Advisory Action"). As per the Advisory Action, it is Applicants' understanding that the Amendment filed September 10, 2008 has not been entered due to sated reasons. (See Advisory Actions, pages 1 and 2). Thus Applicants believe the present submission to be fully responsive to both the Final Office Action dated July 11, 2008 and Advisory Action.

Applicants respectfully request entry of this response and reconsideration of the above-identified application, in view of the forgoing amendments and the remarks that follow.

#### **I. Claim Status:**

Claims 1, 3, 6-12 and 16-18 were pending in this application prior to this submission. By this response, Applicants have been amended claims 1, 3, 6, 7, 10, 12 and 18, and cancelled claims 11, 15 and 16 without prejudice or disclaimer. No new matter has been added.

#### **I. Allowable Subject Matter:**

Claims 10-11 and 17-18 have been objected to as being dependent upon a rejected base claim, but indicated that would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants acknowledge the Examiner's indication of allowable matter in the afore mentioned claims. As a result, Applicants have amended the claims accordingly herein.

#### **II. Rejections Under 35 U.S.C. §103:**

Claims 1, 3, 6-9, 12 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over US 2002/0025265 to Hideo Ikeda (hereafter "Ikeda") in view of U.S. Patent No. 5,360,322 to Henein *et al.* (hereafter "Henein") and further in view of U.S. Patent No. 6,027,239 to Saeid Ghassaei (hereafter "Ghassaei").

In the interest of expediting prosecution and advancing this application towards allowance, Applicants have chosen to amend the claims as set forth above. Applicants respectfully request reconsideration of the pending claims in view of the amendments and remarks presented herein. Among other things, Applicants have amended the pending claims to acquiesce with the Examiner's suggestions of rewriting the allowable subject matter in independent form including all of the limitations of the base claim and any intervening claims. In that regard, Applicants have amended the claims as follows:

Claim 1 has been amended to incorporate at least the subject matter of claim 11. Claim 11, which depended directly from claim 1, was indicated as allowable by the Examiner.

Claim 10 has been rewritten in independent form including all of the limitations of base claim 1 and intervening claims 6 and 9.

Claim 12 has been amended to incorporate all of the limitations of intervening claim 16 and those of claim 17. The subject matter of claim 17 was indicated as allowable by the Examiner.

Claim 18 has been rewritten in independent form including all of the limitations of base claim 12 and intervening claim 16. Claim 18 was also indicated as allowable by the Examiner.

Additional amendments, have been made solely for stylistic and/or grammatical purposes and to conform to the foregoing amendments. Applicants assert that no new matter will be added by entering this amendment.

Applicants respectfully submit that none of the cited references (i.e. Ikeda, Henein or Ghassaei), taken alone or in combination, teach or suggest all of the features of amended claim 1. Independent claims 10, 12 and 18, as amended, include at least similar features as those recited in claim 1. As a result, in addition to the previously indicated allowable claims 10, 11, 17 and 18, Applicants respectfully assert that all of the pending claims are now in condition for allowance.

Applicants do not believe it necessary at this time to further address the rejections of other dependent claims as Applicants believe that the forgoing amendments and remarks patentably distinguish all of the pending claims over the cited references. Applicants, however, reserve the right to address those rejections in the future should such a response be deemed necessary and appropriate.

In light of the above remarks, and having raised no new issues that would require further search and/or consideration from the Examiner, Applicants respectfully request entry of this response, withdrawal of the rejections of the claims, as well as, a prompt allowance of this application.

### CONCLUSION

In view of the forgoing amendments and remarks, Applicants believe that there are no further outstanding objections or rejections in this application. Accordingly, Applicants respectfully submit that all of the remaining claims are now in condition for allowance, and solicit hereby an early action to that effect.

If a telephone conference would facilitate the resolution of any formal matters remaining after this response, the Examiner is invited to contact the undersigned at the number provided.

### AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 5000-5147.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 5000-5147.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

By: Steven F. Meyer  
Steven F. Meyer  
Registration No. 35,613

Dated: November 10, 2008

Correspondence Address:  
Address Associated With Customer Number:  
27123

(212) 415-8700 Telephone  
(212) 415-8701 Facsimile